

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

KAWAKE MCGERT, *et al.*,)
)
Plaintiffs,)
)
v.) Case No. CV414-097
)
)
UNITED STATES OF)
AMERICA, *et al.*,)
)
Defendants.)

REPORT AND RECOMMENDATION

Plaintiffs filed this Federal Tort Claims Act (28 U.S.C. § 2671) case on May 12, 2014, doc. 1, and obtained summonses for Fed. R. Civ. P. 4 service. Docs. 2, 3 & 4. However, they apparently have made no effort to effectuate service upon defendants within the 120 days that Rule 4(m) demands. The Court thus directed them to show why their case should not be dismissed for violating Rule 4(m). They have failed to respond.

Accordingly, this case should be **DISMISSED** for violating Rule 4(m) and for disobeying a Court Order. Fed. R. Civ. P. 41(b); L.R. 41(b) (authorizing dismissal for neglect of any Court order); *see Link v. Wabash Railroad Co.*, 370 U.S. 626, 630–31 (1962); *Mingo v. Sugar Cane*

Growers Co-op, 864 F.2d 101, 102 (11th Cir. 1989); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983); *Floyd v. United States*, No. CV491-277 (S.D. Ga. June 10, 1992).

SO REPORTED AND RECOMMENDED this 4th day of May, 2015.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA